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FEDERAL ELECTION  
COMMISSION

2012 MAR 22 PM 4: 18

**CELA**

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of

)

) MURs 6078, 6090, 6108, 6139, 6142 and

) 6214

Obama for America and Martin Nesbitt,  
in his official capacity as treasurer

)

)

**CERTIFICATION**

I, Shelley E. Garr, recording secretary of the Federal Election Commission executive session, do hereby certify that on March 20, 2012, the Commission took the following actions in the above-captioned matter:

**1. Failed on a vote of 3-3 to:**

- a. Find reason to believe that Obama for America and Martin Nesbitt, in his official capacity as treasurer, violated 2 U.S.C. § 434(b).
- b.
- c.
- d. Approve the Factual and Legal Analysis as recommended in General Counsel's Report #2 dated January 24, 2012, with edits as previously circulated.
- e. Approve the appropriate letters.

Commissioners Bauerly, Walther, and Weintraub voted affirmatively for the motion.

Commissioners Hunter, McGahn II, and Petersen dissented.

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2. Decided by a vote of 6-0 to:

- a. Find reason to believe that Obama for America and Martin Nesbitt, in his official capacity as treasurer, violated 2 U.S.C. § 434(b).
- b.
- c.
- d. Approve the Factual and Legal Analysis as recommended in General Counsel's Report #2 dated January 24, 2012, with edits as previously circulated.
- e. Approve the appropriate letters.

Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

March 22, 2012  
Date

Shelley E. Gurr  
Shelley E. Gurr  
Deputy Secretary of the Commission

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